

HONORABLE MARSHA J. PECHMAN

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

UNITED STATES OF AMERICA,)	Case No. CR05-317-MJP
)	
Plaintiff,)	
)	ORDER CONTINUING TRIAL DATE AND
v.)	PRETRIAL MOTIONS CUTOFF DATE
)	
TAM VAN DANG, et al.,)	
Defendants.)	
)	
)	

ORDER

The Court having considered the parties' Joint Motion to Continue Trial Date and Pretrial Motions Cutoff Date, hereby finds

That the defendants are joined for trial and both defendants are charged in two of the counts including conspiracy to distribute ecstasy;

That a period of up to four months is required to determine whether defendant Xayadeth can be restored to competency;

That the period of time during which Mr. Xayadeth is being evaluated and treated is excluded from speedy trial calculations pursuant to 18 USC § 3161(h)(1)(A);

That defendant Dang is out of custody and has submitted a signed speedy trial waiver;

1 That because of conflicts in the Court and counsels' schedules the soonest available date
3 for trial is September 18, 2006; and

5 The interest in judicial economy will be served by granting this continuance.

7 IT IS THEREFORE ORDERED that the time within which pretrial motions must be filed
9 is extended to August 11, 2006 and the trial date is extended from May 15, 2006 to September
11 18, 2006.

13 IT IS FURTHER ORDERED THAT the time period between May 15, 2006 and
15 September 18, 2006 is excludable time, pursuant to 18 U.S.C. § 3161(h)(8)(A), for the purposes
17 of computing the time limitations imposed by the Speedy Trial Act, 18 U.S.C. § 3161-3174.

19 DONE this 1ST day of May, 2006.

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23
25 /S/Marsha J. Pechman
MARSHA J. PECHMAN
27 UNITED STATES DISTRICT JUDGE
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31 Presented by:

33 Catherine Chaney, WSBA No. 21405
35 Attorney for Tam Van Dang

37 Authorized by email:

39 Mark N. Bartlett,
41 First Assistant United States Attorney
43 Attorney for the United States

45 Nancy Tenney, WSBA No. 35304
47 Assistant Federal Public Defender
49 Attorney for Sanxay Xayadeth